ORIGINAL d RECEIVED & FILED Nicholas J. Santoro 1 Nevada Bar Number 00532 Email: NSantoro@Nevadafirm.com 2 400 South Fourth Street, Third Floor Las Vegas, Nevada 89101 **.**06 MAY -2 A9:04 3 Telephone: 702/791-0308 Facsimile: 702/791-1912 4 Attorney for Nicholas J. Santoro and Juanita Santoro & S. BENERUY TOY COURT Trustees of the Nicholas J and Juanita Santoro FATRICIA GRAY, CLERK 5 Family Trust 6 UNITED STATES BANKRUPTCY COURT 7 DISTRICT OF NEVADA 8 In re: Case No.: 06-10725-LBR Chapter 11 9 USA COMMERCIAL MORTGAGE COMPANY, NOTICE OF APPEARANCE 10 Debtor. 11 Date of Hearing: May 3, 2006 Time of Hearing: 9:30 a.m. 12 Place: Courtroom No. 1, Third Floor Foley Federal Building 13 300 Las Vegas Blvd., S. Las Vegas, NV 89101 14 Judge: Hon. Linda Riegle 15 16 NOTICE OF APPEARANCE, REQUEST FOR SPECIAL NOTICE AND DEMAND FOR COPIES OF ALL FILED PLANS AND DISCLOSURE STATEMENTS 17 [Fed. R. Bankr. P. 9010(b), 2002 and 3017(a)] 18 Nicholas J. Santoro, Esq., hereby enters an appearance on the record in the above-entitled 19 bankruptcy case on behalf of Nicholas J. Santoro and Juanita Santoro, Trustees of the Nicholas J. 20 and Juanita Santoro Family Trust (the "Trust") pursuant to Bankruptcy Rule 9010(b), and, 21 pursuant to Bankruptcy Rule 2002 and 3017(a), hereby requests special notice of all hearings, 22 applications, motions, contested matters, and adversary proceedings filed in this case, including 23 copies of all notices, pleadings, papers, and other related materials that are issued or filed in 24 connection with the case by the Court, Debtor, or other parties-in-interest, including copies of all 25 plans of reorganization and disclosure statements. All responses to the foregoing and all notices 26 required to be mailed to the Trust pursuant to Bankruptcy Rule 2002 should be directed to: 27 111 28 01969-00/78657.doc

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Neither this paper nor any subsequent appearance, pleading, claim, proof of claim, document, suit, motion, or any other writing or conduct, shall (i) expressly or impliedly designate the undersigned as agent for service of process on the Trust, or (ii) constitute a waiver of any of the following rights of the Trust:

- (a) Right to have any and all final orders in any and all non-core matters entered only after de novo review by a United States District Court Judge;
- (b) Right to trial by jury in any proceeding as to any and all matters so triable herein, whether or not the same be designated legal or private rights, or in any case, controversy or proceeding related hereto, notwithstanding the designation vel non of such matters as "core proceedings" pursuant to 28 U.S.C. § 157(b)(2)(H), and whether such jury trial right is pursuant to statute or the United States Constitution;
- (c) Right to have the reference of this matter withdrawn by the United States District Court in any matter or proceeding subject only to mandatory or discretionary withdrawals; and
- (d) Other rights, claims, actions, defenses, setoffs, recoupments, or other matters to which this party is entitled under any agreements or at law or in equity or under the United States Constitution.

All of the above rights are expressly reserved and preserved unto the Trust without exception and with no purpose of confessing or conceding jurisdiction in any way by this filing or by any other participation in the above-captioned case and ancillary proceedings.

Dated this \_\_\_\_ day of May, 2006.

Nicholas J. Santoro, Esq.

Nevada Bar Number 00532

400 South Fourth Street, Third Floor

Las Vegas, Nevada 89101

Attorney for Nicholas J. Santoro and Juanita Santoro, Trustees of the Nicholas J. and Juanita Family Trust

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